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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,321	08/27/2001	Eric Lapuyade	PALM-3689	5093

7590 09/17/2004
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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
2171	

DATE MAILED: 09/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/940,321	Applicant(s) LAPUYADE ET AL.	
	Examiner Etienne P LeRoux	Art Unit 2171	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/13/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

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Request for Continued Examination

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/13/2004 has been entered.

Claim Status:

Claims 1-23 remain pending in the case. Claim 1-23 are rejected in this office action.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3-9, 11-16, 18 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat No 6,198,696 issued to Korpi et al (hereafter Korpi).

Claim 1:

Korpi discloses:

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- storing an event associated with a duration of time in which said event is to take place for a particular time zone [travel schedule, col 4, lines 6-16]
- storing a time zone attributed associated with the time zone [each city is identified as having a time difference relative to GMT, col 4, lines 17-20]
- establishing a display time zone based on a present location of a user of said calendar application [converting time-of-day clock for city in which the user is physically located, col 4, lines 22-25]
- translating the duration of time associated with the event from the stored time zone attribute to the display time zone to produce a translated duration of time wherein said display time zone is independent of said event [converting time-of-day clock for city in which the user is physically located, col 4, lines 22-25]
- displaying the event as occurring at the translated duration of time [time-of-day display per user's geographical location, col 4, lines 61-67, display of time will indicate the London time, col 6, lines 5-12].

Claim 3:

Korpi '696 discloses wherein the display time zone is established by a user selection through a user interface element [Fig 2, item 42]

Claim 4:

Korpi '696 discloses wherein the display time zone established by receiving a message indicating that a time zone change has occurred [col 3, lines 28-43]

Claim 5:

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Korpi '696 discloses wherein the message is received from a network service provider

[col 3, lines 28-43]

Claim 6:

Korpi '696 discloses wherein the establishing of the display time zone further comprises receiving an input from a user confirming a change in time zone [col 3, lines 28-43]

Claim 7:

Korpi '696 discloses the method is carried out in a palmtop computer [col 3, lines 28-43]

Claim 8:

Korpi '696 discloses an electronic storage medium storing instructions when carried out on a programmed processor [col 1, lines 13-30]

Claim 9:

Korpi '696 discloses:

- a programmed processor [Fig 1, item 18]
- a display [Fig 1, 30]
- a calendar [col 4, line 8] application running on the programmed processor to store an event associated with a duration of time in which said event is to take place for a time zone, the calendar application further operating to:
 - store an event time zone attribute associated with the time zone [Fig 3, item 48]
 - store a display time zone based on a present location of a user of said calendar application [Fig 3, item 54]

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- translate the duration time associated with the event from the stored time zone attribute to the display time zone to produce a translated duration of time wherein said display time zone is independent of said event [Fig 2, item 44]
- said display for displaying the event as occurring at the translated block of time on the display [Fig 2, item 46]

Claim 11:

Korpi '696 discloses wherein the display time zone established by receiving a message indicating that a time zone change has occurred [col 3, lines 28-43]

Claim 12:

Korpi '696 discloses wherein the establishing of the display time zone further comprises receiving an input from a user confirming a change in time zone [col 3, lines 28-43]

Claim 13:

Korpi '696 discloses a user interface [Fig 1, item 22]

Claim 14:

Korpi '696 discloses establishing the display time zone by a user selection from a display time zone user interface element forming part of the user interface [col 3, lines 28-43].

Claim 15:

Korpi '696 discloses wherein the display time zone user interface element forming part of the user interface comprises a display time zone menu [col 2, lines 54-65]

Claim 16:

Korpi '696 discloses establishing the event time zone by a user selection from an event time zone user interface element forming part of the user interface [col 3, lines 28-43].

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Claims 18 and 23:

Korpi discloses wherein the display time zone associated with a first difference between the display time zone and Greenwich Mean Time, and wherein the event time zone is associated with a second difference between the event time zone and Greenwich Mean Time and wherein the translating comprises finding a difference between the first difference and the second difference [col 2, lines 54-65].

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Korpi '696 in view of Pub No US 2003/0009411 issued to Ram et al (hereafter Ram '411)

Claim 2:

Korpi '696 discloses the elements of claim 1 as noted above.

Korpi '696 fails to disclose wherein the event is displayed in a daily time grid.

Ram '411 discloses wherein the event is displayed in a daily time grid [paragraph 269]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Korpi '696 to include wherein the event is displayed in a daily time grid as taught by Ram '411].

The ordinarily skilled artisan would have been motivated to modify Korpi '696 per the above for the purpose of providing a graphical display that is easily understood by a user.

Claim 10:

Korpi '696 discloses the elements of claim 9 as noted above.

Korpi '696 fails to disclose wherein the event is displayed in a daily time grid.

Ram '411 discloses wherein the event is displayed in a daily time grid [paragraph 269]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Korpi '696 to include wherein the event is displayed in a daily time grid as taught by Ram '411].

The ordinarily skilled artisan would have been motivated to modify Korpi '696 per the above for the purpose of providing a graphical display that is easily understood by a user.

5. Claims 17 and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Korpi '696 in view of US Pat No 6,631,402 issued to Devine et al (hereafter Devine '402).

Claim 17:

Korpi '696 discloses the elements of claim 16 as noted above.

Korpi fails to disclose wherein the event time zone user interface element forming part of the user interface comprises a time zone menu

Devine '402 discloses wherein the event time zone user interface element forming part of the user interface comprises a time zone menu [Fig 9 (c) and col 18, lines 18-25]

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Korpi '696 to include wherein the event time zone user interface element forming part of the user interface comprises a time zone menu as taught by Devine '402.

The ordinarily skilled artisan would have been motivated to modify Korpi '696 per the above for the purpose of providing a graphical display that is easily understood by a user.

Claim 19:

Korpi '696 discloses:

- a programmed processor [Fig 1, item 18]
- a display [Fig 1, item 30]
- a user interface [Fig 1, item 22]
- a calendar application running [col 4, lines 8-10] on the programmed processor to store an event associated with a block of time, the calendar application further operating to:
 - store an event time zone attribute associated with the event [col 4, lines 53-56]
 - store a display time zone for display events [Fig 1, item 14 and col 4, lines 17-25]
 - translate the block of time associated with the event from the stored time zone to the display time zone [col 5, lines 37-53]
- wherein the display time zone is established by a user selection from a display time zone user interface element forming part of the user interface [col 5, lines 12-20]
- wherein the event time zone is established by a user selection from an event time zone user interface element forming part of the user interface [Fig 2, item 42]

Korpi '696 discloses the elements of claim 19 as noted above.

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Korpi '696 fails to disclose a means for displaying the event as occurring at the translated block of time in a daily time grid on the display

Devine '402 discloses wherein the event time zone user interface element forming part of the user interface comprises a time zone menu [Fig 9 (c) and col 18, lines 18-25]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Korpi '696 to include wherein the event time zone user interface element forming part of the user interface comprises a time zone menu as taught by Devine '402.

The ordinarily skilled artisan would have been motivated to modify Korpi '696 per the above for the purpose of providing a graphical display that is easily understood by a user.

Claim 20:

Korpi '696 discloses wherein the display time zone may further be established by receiving a message indicating that a time zone change has occurred, and receiving an input from a user confirming a change in time zone [col 3, lines 28-43]

Claim 21:

Korpi '696 discloses wherein the event time zone user interface element forming part of the user interface comprises an event time zone menu [col 3, lines 28-43]

Claim 22:

Korpi '696 discloses wherein the display time zone user interface element forming part of the user interface comprises a display time zone menu [col 2, lines 54-65]

Response to Arguments

Applicant's arguments filed 7/13/2004 have been fully considered but they are not persuasive.

Applicant Argument No 1:

Applicant argues in the second paragraph on page 10 "Korpi and the claimed invention are very different. Applicants understand Korpi to teach a method for tracking time zone changes in communications devices. Korpi purports to teach that the reference time is based upon travel of the device (column 5 lines 18-20). Furthermore, Korpi teaches the dynamic adjustment of the time-of-day clock will lead to a display of inaccurate time if a user postpones a trip without updating the information in the itinerary of the memory (column 5, lines 26-30).

Examiner Response No 1:

Examiner is not persuaded. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., if a user postpones a trip without updating the information in the itinerary of the memory) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, Korpi teaches that GPS signals can be used to confirm the adjusted time [col 5, lines 30-37] and thus accurately calculate the time zone based on the location of an user.

Applicant Argument No 2:

Applicant states in the third paragraph page 10 "In fact, Korpi actually teaches away from the claimed limitations of the present invention because with Korpi, the dynamic adjustment of

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the time-of-day clock will lead to a display of inaccurate time information if a user postpones a trip without updating the information in the itinerary of the memory.”

Examiner Response No 2:

Examiner is not persuaded. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., if a user postpones a trip without updating the information in the itinerary of the memory) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, Korpi teaches that GPS signals can be used to confirm the adjusted time [col 5, lines 30-37] and thus accurately calculate the time zone based on the location of an user.

Applicant Argument No 3:

Applicant states in the first paragraph on page 11 “The claimed limitations of the present invention use a display time zone that is independent of the planned events. In fact, the claimed embodiments of the present invention uses a time zone attribute to translate the stored duration of time to produce a translated duration of time. Thus, the claimed embodiments of the present invention will not display inaccurate time information if a user postpones a trip because the display time is independent of anticipated events in the calendar.”

Examiner Response No 3:

Examiner is not persuaded. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., if a user postpones a trip). Although the claims are interpreted in light of the

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specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, Korpi teaches that GPS signals can be used to confirm the adjusted time [col 5, lines 30-37] and thus accurately calculate the time zone based on the location of an user.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (703) 305-0620. The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Etienne LeRoux

9/15/2004


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100